

BY AUTHORITY

ORDINANCE NO.
SERIES OF 2019

COUNCIL BILL NO. CB19-1298
COMMITTEE OF REFERENCE:
Finance & Governance

A BILL

For an ordinance making an appropriation in the East Corridor Certification of Participation Fund to support the 2020 Wastewater Management Enterprise Fund portion of the East Corridor COP Payment.

WHEREAS, in 2012, City Council approved an amendment through Ordinance No. 164, Series of 2012, to the Denver RTD FasTracks East Corridor and FasTracks East Corridor/Denver International Airport which stipulated that the City provide funding for additional capital improvements at two rail stations in the Gateway area and additional drainage capital improvements that were not contemplated by the original City/RTD agreements at the time; and

WHEREAS, to fund the additional improvements, the City entered into a Lease Purchase Agreement to execute and deliver the \$45 million Series 2012C1-C3 Certificates of Participation (Ordinance No. 240, Series 2012); and

WHEREAS, the 2012C1-C3 COPs have fixed annual level lease payments and are paid from "FASTER" funding received from the State designed for transportation improvements; and

WHEREAS, the annual lease payments are subject to annual appropriation by City Council, and are split between the Capital Improvement Fund and the Wastewater Management Enterprise Fund to properly account for expenditures; and

WHEREAS, the 2020 Long Bill includes a \$3,834,955 appropriation in the Capital Improvement Program for its portion of the lease payment, but omitted the \$875,460 appropriation in the Wastewater Enterprise Fund for its portion of the lease payment to achieve the full \$4,710,415 owed in 2020;

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. From the Wastewater Management Enterprise Fund, Accounting No. 72000, in addition to amounts heretofore appropriated by Ordinance No. 1193, Series of 2019, there is hereby

1 appropriated in 2020 to the appropriation accounts hereinafter designated the following amount of
2 money, to be expended for the purposes and upon the authorizations in said Ordinance set forth:

<u>ACCOUNTING NUMBER</u>	<u>APPROPRIATION ACCOUNT</u>	<u>EXPENDING AUTHORITY</u>	<u>AMOUNT</u>
72710-5061000-PA776	East Corridor Certificate of Participation	Executive Director of Public Works	\$875,460

3
4 The foregoing appropriation is for the Wastewater Management Enterprise Fund to make a 2020
5 lease payment for the East Corridor COP.

6
7 **Section 2.** The Chief Financial Officer of the City and County of Denver is hereby authorized
8 and directed to make such book and record entries and to do such other things as may be necessary
9 to accomplish the purposes of this Ordinance.

10
11 COMMITTEE APPROVAL DATE: November 26, 2019 by Consent

12 MAYOR-COUNCIL DATE: December 3, 2019

13 PASSED BY THE COUNCIL: _____
14 _____ - PRESIDENT

15 APPROVED: _____ - MAYOR _____

16 ATTEST: _____ - CLERK AND RECORDER,
17 EX-OFFICIO CLERK OF THE
18 CITY AND COUNTY OF DENVER

19 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

20 PREPARED BY: Rachel Bardin, Budget and Management Office DATE: December 5, 2019

21 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the Office of
22 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
23 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
24 3.2.6 of the Charter.

25 Kristin M. Bronson, Denver City Attorney

26 BY: _____, Assistant City Attorney DATE: _____